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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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PATTON BOGGS, LLP 2001 ROSS AVENUE, SUITE 3000 DALLAS, TX 75201			EXAMINER CHANKONG, DOHM	
			ART UNIT 2152	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/922,348

Applicant(s)

BORGER ET AL.

Examiner

DOHM CHANKONG

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No./Mail Date: _____

DETAILED ACTION

1. This action is in response to Applicant's request for continued examination on 7/29/2008. Claims 4, 11, 15, 22, 29, 33, 48, and 51 are amended. Claims 1-62 are presented for further examination.
2. This action is a non-final rejection.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/29/2008 has been entered.

Response to Arguments

4. With respect to the rejection of the independent claims, Applicant requests documentary evidence that one would not have been inclined to follow Logan's teachings with respect to the location of the translation of the web content. With respect to an obviousness rejection, documentary evidence is but one form of the "articulated reasoning" necessary to form the rational underpinning to support the legal conclusion of obviousness. Background knowledge of an ordinarily skilled artisan also may be the basis of the articulated reasoning to support a conclusion of obviousness.

Here, support for the conclusion that it would not have been obvious to modify Dames with Logan's teachings of client-side translation of web content comes from the background knowledge of the ordinarily skill in the art at the time of Applicant's invention. The primary reference Dames already disclosed the claimed limitation of performing the translation at the server device. Applicant arguments require altering Dames' translation functionality; the rejection is not relying on a conclusion of obviousness to modify this functionality. The previous response outlined the examiner's reasoning for why one of ordinary skill in the art would not have modified Dames so that the translation step occurred at the client instead of the server. The rejection merely relied on Logan to teach an advertisement server. Incorporating the advertisement server into Dames would not have required also incorporating Logan's teaching of performing the translation at the client device. It should be noted that there is no legal requirement that all the teachings of the secondary reference be incorporated into the primary reference. Applicant's arguments would only be persuasive if Logan also taught that in incorporating the advertising server, one must also incorporate the client-side translation functionality. That is to say, an ordinarily skilled artisan would not have simply incorporated the client-side translation functionality into Dames unless such an modification would have been necessary in incorporating the advertising server. Because Logan does not teach this, one of ordinary skill in the art would not have also modified Dames' server-side translation functionality in incorporating Logan's advertising server.

Applicant also argues that the cited references do not teach this advertising server as claimed. The only limitations with respect to the advertising server recite that the advertising server hosts advertisements in text-based format and a web server retrieves the advertisements

from the advertising server. Logan teaches an advertising database that performs these claimed features. The advertising database hosts the advertisements in text format and a web server retrieves the advertisements from the database. Applicant argues that Logan's advertising server fails to disclose means for translating web content to an audio format. There is no limitation in the claims that require the advertising server to translate the web content.

Applicant argues other points with respect to the advertising server citing several sections of the specification to distinguish the claimed advertising server from the advertising databases disclosed in Funk and Logan. For example, Applicant points to a section in the specification to clarify the claimed interactive audio advertisements. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant also argues that Funk is silent as to whether the insertion of the advertisements occurs before the text-to-speech translation. As explained in the previous action, Funk implies this feature. Funk teaching that the insertion of the advertisements occurs during the composition of the email [Figure 7 «item 706» | column 10 «lines 47-52»] and that the text-to-voice translation of the email occurs after the email has been composed [column 6 «lines 43-52» | column 10 «lines 53-67»]. Thus, from these teachings, one of ordinary skill in the art would have reasonably inferred based on Funk's text-to-voice processor which translates file into an email format that the formatting of a composed email into a custom format takes place after the email has been already composed and the advertisement inserted.

With respect to the rejection of claims 9-19 and 57, Applicant argues that Logan does not teach interactive advertisements as claimed. Applicant cites the specification which allegedly

further defines the term beyond what Logan teaches. Specifically, citing Applicant's specification, Applicant argues that "interactivity with an advertisement...involves more than speaking one or more recognizable words, but also requires providing addition [sic] information associated with the advertisement to the user." Because this cited section is prefaced with "for example," the cited section is not a definition but rather an example of an interactive advertisement. Applicant is free to further limit the claim term to the level of specificity recited in the specification so that an interactive advertisement is interpreted in the manner outlined in Applicant's arguments. But until then, Logan's teaching that of an advertisement that may be skipped through using voice commands reads on the claimed interactive advertisement. Applicant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

With respect to the rejection of claims 57-62, Applicant argues that claim 57 requires "means for forwarding the user requested Web content and advertisement to the text-to-speech transcoder for conversion to an audio format and subsequent delivery to the user client device." Contrary to Applicant's argument, claim 57 does not contain this limitation. The only limitation with respect to a text-to-speech transcoder involves the receiving notification from the transcoder that the selected advertisement has been delivered.

Applicant also reiterates that Logan teaches client-side text-to-speech translation. Like in the rejection of claims 1-56 under Dames and Logan, Logan is being relied upon to teach functionality unrelated to the text-to-speech translation. Like Dames, Wu already discloses translating advertisements from text-to-speech at the server prior to delivery to a client device.

The rejection of claims 57-62 relies on Logan to teach two things: (1) storing information associated with delivery of the advertisement to the user client device and (2) selecting advertisements based on subject matter of the web content. As discussed above, incorporating these features into Wu would not require modifying Wu's server-side text-to-speech functionality because the text-to-speech translation is a feature separate from storing delivery information and selecting ads based on subject matter. Applicant's arguments would be persuasive if Logan disclosed that to incorporate the content-related advertisements feature requires incorporating the client-side text-to-speech functionality. Because Logan does not, one of ordinary skill in the art would not have been motivated to modify Wu's server-side functionality to a client-side implementation.

For the foregoing reasons, Applicant's arguments with respect to the rejection of claims 1-62 are not persuasive. Therefore, the rejections as set forth in the previous action are maintained. It is noted that the amendments to claims 4, 11, 15, 22, 29, 33, 48, and 51 do not substantively affect the scope of their respective claims. The amendments recite (1) recognizing a key pressed on a keypad by the user during delivery of an advertisement and (2) retrieving an aggregate of one or more advertisements. The first limitation does not affect the scope of the claim because it is claimed as an alternative to recognizing one or more keywords spoken by a user. Thus, the reference only need teach either the keywords or the pressed keys. The second limitation does not affect the claim's scope because it still only requires one or more advertisements. The previous version of the claim already claimed one advertisement. Therefore the new limitation can have the same interpretation as the language from the previous version of the claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-56 are rejected under 35 U.S.C §103(a) as being unpatentable over Dames et al, U.S Patent Publication No. 2002|0129067 [“Dames”], in view of Funk et al, U.S Patent No. 5.937.162 [“Funk”], in further view of Logan et al, U.S Patent. 6.199.076 [“Logan”].

6. As to claim 1, Dames discloses a computer system configured to integrate advertising within Web content requested by users, comprising:

a text-to-speech transcoder [0011, 0028], comprising:

means for converting Web content from a text-based format to an audio format [0011, 0026, 0040]; and

means for serving Web content in an audio format to a user client device via telephone link with the user client device [0007]; and

a Web server that hosts Web content in a text-based format [0009, 0010 : server implied because Dames discloses HTML formatted content], comprising:

means, responsive to a user request via the client device for Web content, for retrieving related content[0027, 0040 where: Dames discloses responsive to a user

request, related content is retrieved to be placed into the template in place of the content markers];

means for inserting the retrieved advertisement within the user requested Web content [0040 : inserting text related to requested content (weather)]; and

means for forwarding the user requested Web content and related content to the text-to-speech transcoder for conversion to an audio format and subsequent delivery to the user client device [0051 : “end user can listen to the content over a cellular telephone connection”].

Dames does not expressly disclose an advertisement server or inserting advertisements into the user requested content. However, such features were well known in the art at the time of Applicant’s invention as evidenced by Funk and Logan.

In the same field of invention, Funk is directed to a system that delivers requested content to users [column 4 «lines 12-24»]. Funk expressly discloses inserting advertisements within the Web content [column 9 «lines 49-61» | column 10 «lines 47-53»]. After insertion of the advertisements within the requested content, the requested content and the inserted advertisement can then be transferred to a voice mail service that transcodes the new content from text to speech [Figure 1 | Figure 2 «item 220» | Figure 7 | column 6 «lines 12-24 and 43-52» where : Funk does not expressly disclose that the insertion of the advertisements occurs before transcoding the content but this functionality is reasonably inferred from the disclosure. For example, Funk discloses that the insertion takes place at composition processor 706 which is a component of the service processing system 104. This newly combined content is then transmitted to the voice mail service where the content is translated].

Thus it would have been obvious to one of ordinary skill in the art to modify Dames to include Funk's advertisement insertion functionality. As noted, Dames does disclose retrieving user request related textual content and then inserting the textual content into the requested content. Dames already discloses inserting related content, such as sports scores, weather and financial news [0027, 0040]. Funk would improve upon Dames system by allowing for advertisements that are targeted to the user or even based on the requested content being delivered to the user [column 10 «lines 47-52»].

Funk does not expressly disclose an advertisement server but does disclose that the service processing system (where the advertisement insertion takes place) has access to source information databases that host information in a text-based format [column 9 «lines 49-61» | column 10 «lines 58-64»]. Furthermore, Logan expressly discloses an advertisement server that host advertisements in a text-based format [Figure 1 «item 135» | column 5 «lines 47-59»]. Logan discloses that the benefits of advertisements in a text-to-audio system include providing a means of defraying subscription costs and enabling companies to provide targeted advertising [column 44-67». It would have been obvious to one of ordinary skill in the art to incorporate an advertisement server as taught by Funk and Logan into Dames to have a database that stores general or targeted advertisements into requested content. It should be noted that Logan is only being relied upon to teach an advertisement server and not being relied upon to teach insertion of advertisements into web content.

7. As to claim 2, Dames discloses selecting related content for insertion within user-requested web content in response to a user request for web content [0040]. Dames does not

expressly disclose an advertisement server. However, such a feature was well known in the art at the time of Applicant's invention. Funk discloses advertisement information sources [Figure 1]. Additionally, Logan discloses utilizing an advertisement server [Figure 1 «item 130»]. It would have been obvious to one of ordinary skill in the art to have implemented Logan's advertisement server into Dames in order to incorporate advertisement functionality into Dames' text-to-speech system. Benefits from a combination include providing a means of defraying subscription costs and enabling companies to provide targeted advertising [Logan, column 44-67». See also the rejection of claim 1.

8. As to claim 3, Dames discloses retrieving content having a format and size compatible with user-requested Web content when the Web content is converted to an audio format [0040]. Dames does not disclose advertisements. However, such a feature was well known in the art at the time of Applicant's invention. Funk discloses inserting advertisements into requested content based on user information and information already in the content [column 10 «lines 47-52»]. Further, Logan discloses wherein means for selecting advertisements for insert within user-requested Web content comprises means for retrieving advertisements having a format and size compatible with user-requested Web content when the web content is converted to an audio format [Figure 4 | column 18 «lines 21-45» | column 25 lines 35-50 where : Logan discloses the advertisements are inserted into a schedule table with the regular content, the advertisements in audio format like the requested content. The table ensures that the advertisements are of "compatible" size with the content as well].

Dames, Funk and Logan are concerned with providing content that will be compatible

with the user-requested content [see Dames, 0011]. It would have been obvious to one of ordinary skill in the art to incorporate Logan's advertisement scheduling functionality into Dames' system to insure that advertisements (content) inserted into content are compatible with the web content.

9. As to claim 4, Dames does not disclose the advertisement having a predetermined time length. However, such a feature was well known in the art at the time of Applicant's invention. Logan discloses retrieving an aggregate of one or more advertisements having a predetermined time length when delivered in an audio format [Figure 4 | column 18 «lines 21-45» | column 23 «lines 40-45» | column 24 «lines 9-31» | column 25 lines 35-50 | column 34 «lines 24-44» where : the advertisement is defined as a segment of content]. It would have been obvious to one of ordinary skill in the art to incorporate Logan's advertisement segments of predetermined length into Dames' system to provide related content that is consistent with the user-requested content.

10. As to claim 5, Dames discloses the text-based format comprising VXML format [0026].

11. As to claim 6, Dames does not disclose an advertisement server. However, such a feature was well known in the art at the time of Applicant's invention. Logan discloses an advertisement server further comprising means for storing information associated with serving an advertisement to a user [Figure 1 «item 130» | column 5 «lines 47-59» where : item 130 corresponds to an advertising server]. It would have been obvious to one of ordinary skill in the art to incorporate Logan's advertising server into Dames to provide a central location for storing

advertisements. Such an implementation is desirable for allowing quicker and more efficient access to advertisements.

12. As to claim 7, Dames does not expressly disclose means for determining if a user listened to an advertisement in its entirety. However, such a feature was well known in the art at the time of Applicant's invention. Logan discloses means for determining if a user listened to an advertisement in its entirety [column 10 «lines 21-29» | column 28 «lines 24-41»: "start and end times"]. It would have been obvious to incorporate Logan's billing techniques into Dames to insure that subscriber billing is accurate and based on the viewing of advertisements of the users [see Logan, column 28 «lines 42-65»].

13. As to claim 8, Dames does not expressly disclose means for determining how many times a user listened to an advertisement. Logan discloses means for determining how many times a user listened to an advertisement [column 28 «lines 6-65»]. It would have been obvious to incorporate Logan's billing techniques into Dames to insure that subscriber billing is accurate and based on the viewing of advertisements of the users [see Logan, column 28 «lines 42-65»].

14. As to claim 9, as it substantially has the limitations of claim 1, see the rejection of claim 1, above, under Dames, Funk, and Logan. Claim 9 differs primarily because it is directed towards interactive advertisements. Logan teaches interactive advertisements [column 27 «lines Logan discloses means for notifying the advertisement server of user interaction with an advertisement [column 28 «lines 6-65»]. It would have been obvious to incorporate Logan's

billing and advertisement functionality into Dames to insure that subscriber billing is accurate and based on the viewing of advertisements of the users [see Logan, column 28 «lines 42-65»].

15. As to claim 10, Dames does not teach the claimed limitations. However, such features was well known in the art at the time of Applicant's invention. Logan teaches:

means for retrieving additional information associated with an advertisement in response to user interaction with the advertisement [column 10 «lines 44-67» | column 31 «lines 14-62»]; and

means for delivering the additional information to the user client device in an audio format [column 31 «lines 14-62» where : hyperlinks retrieve further content. Logan teaches throughout his disclosure that his content includes text and audio format content].

It would have been obvious to one of ordinary skill in the art to incorporate Logan's interactive advertisements into Dames to enable additional content that is relevant to the user's interests to be retrieved, ensuring targeted advertisements and information.

16. As to claim 11, Dames does not teach the claimed limitations. However, such features was well known in the art at the time of Applicant's invention. Logan teaches :

means for recognizing a key pressed on a keypad by the user during delivery of an advertisement; or

means for recognizing one or more key words spoken by the user during delivery of an advertisement [column 31 «lines 48-62» : "voice command response"]; and

means for redirecting the user client device to additional audio content associated with the advertisement in response to recognition of one or more key words spoken by the user [column 31 «lines 14-62» where : hyperlinks retrieve further content. Logan teaches throughout his disclosure that his content includes text and audio format content].

It would have been obvious to one of ordinary skill in the art to incorporate Logan's interactive advertisements into Dames to enable additional content that is relevant to the user's interests to be retrieved, ensuring targeted advertisements and information.

17. As to claim 12, Dames does not disclose means for retrieving additional information from the advertisement server. However, such features was well known in the art at the time of Applicant's invention. Logan discloses means for retrieving additional information in response to user interaction comprises means for retrieving additional information from the advertisement server [column 3 «lines 22-31» | column 17 «lines 18-27»]. It would have been obvious to one ordinary skill in the art to modify Dames with Logan's advertisement interaction functionality. It would have been obvious to one of ordinary skill in the art to incorporate Logan's interactive advertisements into Jimenez to enable additional content that is relevant to the user's interests to be retrieved, ensuring targeted advertisements and information.

18. As to claims 13 and 31, as they do not teach or further define over the previously claimed limitations, they are similarly rejected for at least the same reasons set forth for claim 2.

19. As to claims 14, 15, 21, 22, 32, 33, 40, 41, 50 and 51, as they do not teach or further define over the previously claimed limitations, they are similarly rejected for at least the same reasons set forth for claims 3 and 4.

20. As to claims 16, 23, 34, 42 and 52, as they do not teach or further define over the previously claimed limitations, they are similarly rejected for at least the same reasons set forth for claim 5.

21. As to claims 17-19, 24-26, 35-38, 43-45, and 53-56, as they do not teach or further define over the previously claimed limitations, they are similarly rejected for at least the same reasons set forth for claims 6-8.

22. As to claims 20, 27, 39 and 46, as they do not as it does not teach or further define over the previously claimed limitations, they are similarly rejected for at least the reasons set forth for claims 1 and 9.

23. As to claims 28 and 47, as they do not teach or further define over the previously claimed limitations, they are similarly rejected for at least the reasons set forth for claim 10.

24. As to claims 29 and 48, as they do not teach or further define over the previously claimed limitations, they are similarly rejected for at least the same reasons set forth for claim 11.

25. As to claims 30 and 49, as they do not teach or further define over the previously claimed limitations, they are similarly rejected for at least the same reasons set forth for claim 12.

26. Claim 57-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu, U.S. Patent Application No. 2003/0212759, in view of Logan.

27. In regards to claim 57, Wu discloses a advertising server (figure 4-#54) that integrates interactive advertising within Web content requested by users ([0027] lines 12-15, [0032] lines 1-6), comprising:

means for selecting an advertisement for insertion within Web content requested by a user via a client device [0027, 0032] in communication with a Web server (figure 4), wherein the advertisement has a text-based format ([0025] lines 29-31) and is configured to be interactive when converted to an audio format;

means for forwarding the selected advertisement to the Web server for insertion within the Web content requested by the user [0020, 0032 : delivered “in-band” with the requested content]; and

means for receiving notification from a text-to-speech transcoder that the selected advertisement has been delivered to the user client device in an audio format [Logan, see response to arguments above];

Wu is silent on means for storing information associated with delivery of the advertisement to the user client device and on selecting advertisements based on subject matter of the web content.

As to the first feature, Logan discloses interactive advertisements and storing information associated with delivery of the advertisement to the user client device [column 27 «line 58» to column 28 «line 65» where the server stores information about how the user played the advertisement such as volume and whether any ads were skipped]. It would have been obvious to one of ordinary skill in the art to incorporate Logan's advertisement tracking functionality into Wu's advertising system to benefit the companies by providing useful information to better target and utilize their advertisements [see Logan, column 28 «lines 42-57»].

As to the second feature, Logan teaches selecting advertisements based on the subject matter of the content as well [column 10 «lines 55-67»]. It would have been obvious to one of ordinary skill in the art to have modified Wu with Logan's teaching of providing advertisements based on subject matter to consumers. Such a feature enables targeted advertising.

28. In regards to claim 58, Wu does not disclose storing information associated with user interaction. Logan discloses storing information associated with user interaction with the advertisement [column 22 «lines 20-25» | column 28 «lines 6-65»].

29. In regards to claim 59 Wu discloses the advertisement server of claim 57, further comprising means for providing additional information associated with the advertisement to the

user client device in response to user interaction with the advertisement ([0027] lines 12 – 24, [0041] lines 6-20).

30. As to claims 60 and 61, Wu does not expressly disclose retrieving advertisements having a format and size compatible with the user requested content or the advertisements having a predetermined time length.

31. As to claim 60, Logan discloses wherein means for selecting advertisements for insert within user-requested Web content comprises means for retrieving advertisements having a format and size compatible with user-requested Web content when the web content is converted to an audio format [Figure 4 | column 18 «lines 21-45» | column 25 lines 35-50 where : Logan discloses the advertisements are inserted into a schedule table with the regular content, the advertisements in audio format like the requested content. The table ensures that the advertisements are of “compatible” size with the content as well].

As to claim 61, Logan discloses retrieving an advertisement having a predetermined time length when delivered in an audio format [Figure 4 | column 18 «lines 21-45» | column 23 «lines 40-45» | column 24 «lines 9-31» | column 25 lines 35-50 | column 34 «lines 24-44» where : the advertisement is defined as a segment of content].

It would have been obvious to one of ordinary skill in the art to incorporate Logan’s advertisement scheduling functionality into Dames’ system to insure that advertisements (content) inserted into content are compatible with the web content. Ensuring compatibility is both desirable and advantageous to the user and the content provider.

32. In regards to claim 62, Wu discloses the advertisement server of claim 57, wherein the text-based format comprises voice extensible markup language (VXML) format ([0028] lines 11-17).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOHM CHANKONG whose telephone number is (571)272-3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 2152